

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

SAM KEARNEY,

Plaintiff,

versus

ZENA STEPHENS, *et al.*,

Defendants.

CIVIL ACTION NO. 1:22-CV-533

**ORDER ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Sam Kearney, proceeding *pro se*, filed this civil rights lawsuit. The court previously referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending the case be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b). To date, the parties have not filed objections to the report.

The court received and considered the Report and Recommendation pursuant to such referral, along with the record, pleadings, and all available evidence. After careful review, the court finds that the findings of facts and conclusions of law of the magistrate judge are correct.

Accordingly, the report of the magistrate judge (#5) is **ADOPTED**. A final judgment shall be entered dismissing this lawsuit.

SIGNED at Beaumont, Texas, this 31st day of January, 2023.

Maria A. Crone

MARCIA A. CRONE

UNITED STATES DISTRICT JUDGE